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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 00-653-A)

In the Application of:

Chad A. Mirkin, et al.

Serial No.: 09/927,777

Issued: August 10, 2001

For: NANOPARTICLES HAVING
OLIGONUCLEOTIDES ATTACHED
THERE TO AND USES THEREFOR

Examiner: J. Riley

Group Art Unit: 1656

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TRANSMITTAL LETTER

Asst. Commissioner for Patents
Washington, D.C. 20231

Sir:

In regard to the above identified application.

1. We are transmitting herewith the attached:

- a) Information Disclosure Statement;
- b) U.S. PTO 1449 Form with copies of 16 references; and
- c) Return Postcard.

2. With respect to fees:

- a) No fee is attached.
- b) General Authorization: Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231 on this 16 day of October, 2001.

Date:

10/16/01

Respectfully submitted,

Emily Miao

Registration No. 35,285



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Art Unit: 1656

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449, copies¹ of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. Mroczkowski, et al., U.S. Patent No. 5,284,748, issued 02/08/94.

¹To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to undersigned.



2. Engelhardt, et al., U.S. Patent No. 5,288,609, issued 02/22/94.
3. Hainfeld, et al., U.S. Patent No. 5,360,895, issued 11/01/94.
4. Kidwell, et al., U.S. Patent No. 5,384,265, issued 01/24/95.
5. Beebe, et al., U.S. Patent No. 5,472,881, issued 12/05/95.
6. Stimpson, et al., U.S. Patent No. 5,599,668, issued 02/04/97.
7. Kidwell, et al., U.S. Patent No. 5,637,508, issued 06/10/97.
8. Alivisatos, et al., U.S. Patent No. 5,751,018, issued 05/12/98.
9. Hansen, et al., U.S. Patent No. 5,939,021, issued 08/17/99.
10. Weiss, et al., U.S. Patent No. 5,990,479, issued 11/23/99.
11. International Application No. WO 93/10564, published 27 May 1993.
12. International Application No. WO 98/10289 published, 12 March 1998.
13. International Application No. WO 99/23258 published, 14 May 1999.
14. International Application No. WO 99/21934 published, 06 May 1999.
15. International Application No. WO 99/20789 published 29, April 1999.
16. O.D. Velev, et al., "In Situ Assembly of Collordal Particles into Miniaturized Biosensors," *Langmuir*, May 25, 1999, Vol. 15, No. 11, pp. 3693-3698 (May 25, 1999)

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In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each



document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Dated: 10/16/01

McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 913-0001
Facsimile: (312) 913-0002

Respectfully submitted,

Emily Miao
Registration No. 35,285

Form PTO-1449

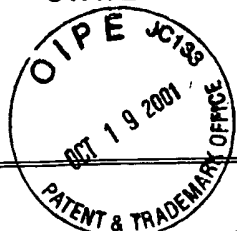
U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

Serial No.

00-653-A

09/927,777

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Applicant: Chad A. Mirkin, et al.

Filing Date: 08/10/01

Group: 1656

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OCT 22 2001

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date
	1.	5,288,609	02/08/94	Mroczkowski, et al.			
	2.	5,284,748	02/22/94	Engelhardt, et al.			
	3.	5,360,895	11/01/94	Hainfield, et al.			
	4.	5,384,265	01/24/95	Kidwell, et al.			
	5.	5,472,881	12/05/95	Beebe, et al.			
	6.	5,599,668	02/04/97	Stimpson, et al.			
	7.	5,637,508	06/10/97	Kidwell, et al.			
	8.	5,751,018	05/12/98	Alivisatos, et al.			
	9.	5,939,021	08/17/99	Hansen, et al.			
	10.	5,990,479	11/23/99	Weiss, et al.			

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FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes No	
	11.	WO 93/10564	27 May 93	PCT				
	12.	WO 98/10289	12 March 98	PCT				
	13.	WO 99/23258	14 May 99	PCT				
	14.	WO 99/21934	06 May 99	PCT				
	15.	WO 99/20789	29 April 99	PCT				

OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

16. O.D. Velev, et al., "In Situ Assembly of Collordal Particles into Miniaturized Biosensors," *Langmuir*, Vol. 15, No. 11, pp. 3693-3698, May 25, 1999

Examiner

Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.